IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

LA.App..No. 822 of 2007()

LAR.207/2004 of PRL.SUB COURT,KOTTAYAM
.....

APPELLANT: RESPONDENT

STATE OF KERALA REP. BY
THE DISTRICT COLLECTOR, KOTTAYAM.

BY GOVERNMENT PLEADER

RESPONDENTS: CLAIMANT/RESPONDENT

PAUL, S/O PAILE,
CHAMAKKALAYIL, MANJOOR VILLAGE,
VAIKOM TALUK.

BY

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Kurian Joseph & T.R. Ramachandran Nair, JJ.

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L.A.A..NO.822 of 2007

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Dated this the 21st day of June, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed against the judgment and decree in L.A.R. No.207/2004 on the file of the Principal Sub Court, Kottayam. The acquisition is for the purpose of construction of Kuruppanthara Distributory. Section 4(1) Notification is dated 6.12.2002. The Land Acquisition Officer fixed land value at the rate of Rs.14,760/- per are. The reference court, on the basis of the evidence available on record, fixed the land value at Rs.24,760/-. The enhancement is only around 68%. We have sustained enhancement upto 65% in several other connected matters. It is seen that the fixation of the market value is based on the report of the Advocate Commissioner, the evidence adduced by the claimant and the over all assessment of the importance of the locality.

In the above view of the matter, we do not find any merit in this appeal. It is accordingly dismissed.

(Kurian Joseph, Judge.)

(T.R. Ramachandran Nair, Judge.)